



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Evans, et al. Exam. M. Aryanpour
Serial No. 09/493,871 Group Art Unit: 3711
Filed: January 28, 2000
For: APPARATUS AND METHOD FOR SOCCER TRAINING AND PRACTICE

RECEIVED

Rule 132 Declaration

JUN 25 2004

TECHNOLOGY CENTER R3700

The undersigned declarant, a co-inventor/co-applicant in the above identified application states:

1. I have reviewed the above application and its parent as filed and amended, including the proposed claims before the Examiner and all record references and PTO actions and state the following regarding the claimed invention of the present application in relation to prior art.
2. I now supplement (in Appendix A hereto) the previously-filed commercial success data of our Soccer Edge® training device (by the 14 October 2003 Rule 132 declaration, copy in Appendix B hereto), which is an embodiment of the presently claimed invention, in comparison to commercial embodiments of the Sowards and Ainscough, et al., inventions. We have now sold over 25,000 units and have placed the devices for sale in over 800 stores currently (including The Sports Authority®). This number will be expanding to over 1200 stores (including The Forzani Group of Canada, which is a large Canadian sporting goods retailer comparable to The Sports Authority®, El Corte Ingles in Spain, a major department store, and K-Mart in Australia) by Fall of 2004.
3. Our sales of the SoccerEdge Edge® trainer have been greater in the first 6 months of this year than in all of 2003.
4. The commercial success can only be attributed to merit of the product as appraised by these sophisticated retail customers. Our company remains without the resources or sales force of typical sporting goods companies, which employ marketing/advertising and the leveraging of other products to gain shelf space.
5. My co-inventor and I have had positive feedback from soccer coaches and in the market place as described below and in my previously-filed declaration. Our product (per the claimed invention) has been designated the Official Licensed Bungee Soccer Trainer of the U.S. Soccer Federation, the governing body of organized soccer in the United States.

6. I have previously provided information (accompanying the 14 October 2003 declaration, Appendix B hereto) regarding the Penaltymaster™ rebounding soccer trainer. Appendix C hereto contains promotional literature for a further state of the art rebounding soccer trainer, the Soccix™ trainer. The Soccix trainer utilizes two rubber loops clipped directly to the ball and attached to two croquet-style wickets, rather than the single rubber loop, ball net and wicket of the Penaltymaster trainer. Patents are apparently pending for both the Soccix and Penaltymaster designs, both of which are inferior to the claimed combinations of the present invention.
7. I have previously provided evidence of the comparative merits of the presently claimed invention in comparison to the Sowards' Kwik Kick Speed Ball™ trainer and the Ainscoff trainer. As noted previously, the Ainscoff trainer was offered for sale on TV home shopping but was not a durable offering and can no longer be found for sale. The Kwik Kick Speed Ball™ trainer had been selling at The Sports Authority until our Soccer Edge® training device was introduced to the market. The Kwik Kick is no longer for sale at The Sports Authority, while our product has been rolled out to all of their stores.
8. I have also been informed by a buyer for Modell's Sporting Goods, Inc., one of our customers, that another sporting goods seller, Brine Sporting Goods, Inc., (Milford, MA) has recently presented that buyer with a "special make-up unit" (SMU) which copied our design. In other words, Brine attempted to sell a "knock off" of our Soccer Edge® training device to Modell's. It is clear to me that Brine recognizes the advantages provided by our inventive soccer training design.
9. Yet further evidence of the comparative merits of products is found in the recall announcement from the U.S. Consumer Product Safety Commission related to a Franklin Sports soccer trainer that employed a straight metal stake or spike to anchor the product, a copy of which is included in Appendix D hereto. The risk of injury presented by the Franklin product, if obvious, would have been anticipated and prevented in the product's design (i.e., Franklin retrieved its straight stakes rather than replace them with spirals.)
10. The art as a whole fails to recognize the need for a combination of a combined elastic/inelastic line with a net carrier for the ball and a universally flexible means for strongly securing in a minimally-interfering way a retrieval-type soccer kick practicing device that provides realistic ball motion (i.e., lift and roll) and true 360° range of kicking ability. Each of the applied references fails individually and in the aggregate to do so. I incorporate my discussion of the Ainscough, et al., and Sowards references' failure to teach or suggest the presently claimed invention, made in my previous declaration and responses in the application of 14 October 2003 and 06 June 2002. The Moore reference depicts and describes only a "suitable anchor" consisting of a tent stake, and a ball holder mechanism comprised of four orthogonally arranged pieces of webbing and an elastic band

securing them to the ball. The former will not provide the sufficient securing force to accommodate stronger kickers, and the latter will not provide true soccer ball motion, as the presently claimed invention provides.

11. The present invention as described and claimed comprises a soccer ball practice apparatus made as a combination of a tether line including an elastic section, a net container/securement for a soccer ball, a ground insertable/removable anchor unit as a spiral with an upper section and a handle which is turned for insertion of the spiral portion to enter the ground and to leave only an upper circular portion exposed, the tether line tied between the anchor means and the net, by a ring that rides on the circular portion of the anchor upper circle portion, a shackle interconnect or the like from the elastic portion of the tether line (and a swivel) to the ring to enable rotation of the tether line about its own axis. The kicked ball returns to the kicker, rolling back without material interference from the apparatus.
12. My co-inventor and I are familiar with soccer play and practice and the full range of commercially available training choices on the market, presently or in the past. The presently claimed invention provides a much closer approximation of normal game play than the systems of the cited art, while minimizing the possibility that a user's kick will dislodge the stake from the ground. The present invention allows repetitive kicking in a variety of angles and trajectories from any position around the anchor on the fly. The player can move around to kick the ball, which cannot be done with the Sowards or Ainscough et al. devices. Most importantly, with the present invention a player can kick the ball straight ahead in front of herself and see if the ball goes in the direction intended. One troublesome skill for young players to learn is "lifting" the ball upward when they kick it. This is impossible with the Sowards device. The Ainscough et al. device does not allow a 360° range of kick up and over the device, as its support pipe and swiveling arm only allow 360 degree rotation about the axis of the pole; therefore, the player will not know if the ball would have traveled in the direction intended with the rise in trajectory desired, which defeats the purpose of practice kicking. The Moore device does not show a practice device that has a strong ground connection. With the Moore device, a kicker may unintentionally pull the tent stake from the ground with her kick (a potentially hazardous event as evidenced by the CPSC recall noted in paragraph 9), the partial webbing/elastic band ball holding mechanism will not provide true ball motion, and its additional weight will further inhibit the ability to get "lift" under the ball.
13. I have tested and observed, that using the present invention with an elastic cord a player can effect a great variety of fast returns of different angles that are anything but "fixed." The present invention also provides truer ball motion, absolutely necessary for young players developing their kicking skills.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: June 15, 2004

By: 
CHRISTOPHER EVANS

11714-P02_R132decl_061504

Appendix A

SALES ANALYSIS BY ITEM REPORT

1/ 1/02 To 12/31/02

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
SOCCEREDGE - SoccerEdge							
1/28/02	CI	MCSports		00001057	180	180	1,440.00
4/24/02	CI	MCSports		00001058	180	180	1,440.00
6/10/02	CI	TSA		00000150	180	180	1,440.00
6/10/02	CI	TSA		00000151	60	60	480.00
6/10/02	CI	TSA		00000152	4	4	32.00
6/10/02	CI	TSA		00000153	7	7	56.00
6/10/02	CI	TSA		00000154	6	6	48.00
6/10/02	CI	TSA		00000155	6	6	48.00
6/10/02	CI	TSA		00000156	7	7	56.00
6/10/02	CI	TSA		00000157	5	5	40.00
6/10/02	CI	TSA		00000158	5	5	40.00
6/11/02	CI	MCSports		00001059	300	300	2,400.00
7/ 9/02	CI	TSA		00000168	6	6	48.00
7/11/02	CI	TSA		00000159	200	200	1,600.00
7/11/02	CI	TSA		00000160	60	60	480.00
7/11/02	CI	TSA		00000161	3	3	24.00
7/11/02	CI	TSA		00000162	3	3	24.00
7/11/02	CI	TSA		00000163	3	3	24.00
7/11/02	CI	TSA		00000164	2	2	16.00
7/11/02	CI	TSA		00000165	1	1	8.00
7/11/02	CI	TSA		00000166	5	5	40.00
7/11/02	CI	TSA		00000167	4	4	32.00
7/15/02	CI	MCSports		00001060	180	180	1,440.00
7/15/02	CI	PLASVA		00001061	20	20	160.00
7/18/02	CI	TSA		00000169	6	6	48.00
8/12/02	CI	TSA		00000170	140	140	1,120.00
8/12/02	CI	TSA		00000171	20	20	160.00
8/12/02	CI	TSA		00000172	3	3	24.00
8/12/02	CI	TSA		00000173	8	8	64.00
8/12/02	CI	TSA		00000174	2	2	16.00
8/12/02	CI	TSA		00000175	6	6	48.00
8/12/02	CI	TSA		00000176	10	10	80.00
8/12/02	CI	TSA		00000177	2	2	16.00
8/12/02	CI	TSA		00000178	3	3	24.00
8/12/02	CI	TSA		00000179	1	1	8.00
8/22/02	CI	KINDERHAUS		00001062	20	20	160.00
8/23/02	CI	GSI		00001063	60	60	480.00
9/30/02	CI	TSA		00001064	120	120	960.00
9/30/02	CI	TSA		00001065	40	40	320.00
9/30/02	CI	TSA		00001066	2	2	16.00
9/30/02	CI	TSA		00001067	8	8	64.00
9/30/02	CI	TSA		00001068	3	3	24.00
9/30/02	CI	TSA		00001069	8	8	64.00
9/30/02	CI	TSA		00001070	10	10	80.00

SALES ANALYSIS BY ITEM REPORT

1/ 1/02 To 12/31/02

<u>ITEM / DATE</u>	<u>TT</u>	<u>CUSTOMER ID</u>	<u>SLS</u>	<u>REF NO</u>	<u>QTY ORD</u>	<u>QTY SHIP</u>	<u>AMOUNT</u>
9/30/02	CI	TSA		00001071	2	2	16.00
9/30/02	CI	TSA		00001072	18	18	144.00
10/ 4/02	CI	HIBBETT		00001073	360	360	2,700.00
11/ 8/02	CI	GSI		00001073	20	20	160.00
12/12/02	CI	GSI		00001074	40	40	320.00
Total:					2339	2339	18,532.00

TOTAL SALES:

18,532.00

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SALES ANALYSIS BY ITEM REPORT

1/ 1/03 To 12/31/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
SOCCEREDGE - SoccerEdge							
2/26/03	CI	DUNHAM		00001081	960	960	7,680.00
2/27/03	CI	GSI		00001075	20	20	160.00
2/27/03	CI	MCSPORTS		00001076	360	360	2,880.00
3/ 7/03	CI	TSA		00001077	160	160	1,280.00
3/ 7/03	CI	TSA		00001078	20	20	160.00
3/ 7/03	CI	TSA		00001079	7	7	56.00
4/ 8/03	CI	COPELAND		00001080	144	144	1,080.00
5/ 9/03	CI	TOYSRUS.CO		00001082	40	40	320.00
5/ 9/03	CI	TOYSRUS.CO		00001083	120	120	960.00
5/ 9/03	CI	TOYSRUS.CO		00001084	40	40	320.00
5/28/03	CI	GSI		00001085	20	20	160.00
6/11/03	CI	SPORTCHALE		00001087	180	180	1,440.00
6/18/03	CI	MCSPORTS		00001089	180	180	1,440.00
6/24/03	CI	GSI		00001088	20	20	160.00
7/ 2/03	CI	SPORTCHALE		00001090	380	380	3,040.00
7/ 3/03	CI	DUNHAM		00001091	180	180	1,440.00
7/10/03	CI	QVC		00001092	3500	3500	26,600.00
7/10/03	CI	DUNHAM		00001093	84	84	672.00
7/17/03	CI	MCSPORTS		00001094	180	180	1,440.00
7/23/03	CI	TSA		00001096	6	6	48.00
7/23/03	CI	TSA		00001097	6	6	48.00
7/23/03	CI	TSA		00001098	6	6	48.00
7/23/03	CI	TSA		00001099	6	6	48.00
7/23/03	CI	TSA		00001100	6	6	48.00
7/23/03	CI	TSA		00001101	6	6	48.00
7/23/03	CI	TSA		00001102	6	6	48.00
7/23/03	CI	TSA		00001103	6	6	48.00
7/23/03	CI	TSA		00001104	6	6	48.00
7/23/03	CI	TSA		00001105	6	6	48.00
7/23/03	CI	TSA		00001106	6	6	48.00
7/23/03	CI	TSA		00001107	6	6	48.00
7/23/03	CI	TSA		00001108	9	9	72.00
7/23/03	CI	TSA		00001109	7	7	56.00
7/23/03	CI	TSA		00001110	6	6	48.00
7/23/03	CI	TSA		00001111	14	14	112.00
7/23/03	CI	TSA		00001112	9	9	72.00
7/23/03	CI	TSA		00001113	6	6	48.00
7/23/03	CI	TSA		00001114	7	7	56.00
7/23/03	CI	TSA		00001115	6	6	48.00
7/23/03	CI	TSA		00001116	6	6	48.00
7/23/03	CI	TSA		00001117	6	6	48.00
7/23/03	CI	TSA		00001118	6	6	48.00
7/23/03	CI	TSA		00001119	6	6	48.00
7/23/03	CI	TSA		00001120	6	6	48.00

SALES ANALYSIS BY ITEM REPORT

1/ 1/03 To 12/31/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
7/23/03	CI	TSA		00001121	6	6	48.00
7/24/03	CI	GSI		00001095	20	20	160.00
7/30/03	CI	TSA		00001122	460	460	3,680.00
7/30/03	CI	TSA		00001123	180	180	1,440.00
7/30/03	CI	TSA		00001124	500	500	4,000.00
7/30/03	CI	HIBBETT		00001125	480	480	3,600.00
8/18/03	CI	MCSPORTS		00001126	90	90	720.00
8/27/03	CI	COPELAND		00001127	72	72	540.00
9/12/03	CI	GSI		00001128	20	20	160.00
9/18/03	CI	TSA		00001129	780	780	6,240.00
9/18/03	CI	TSA		00001130	200	200	1,600.00
9/18/03	CI	TSA		00001131	800	800	6,400.00
9/18/03	CI	TSA		00001132	6	6	48.00
9/18/03	CI	TSA		00001133	22	22	176.00
9/18/03	CI	TSA		00001134	14	14	112.00
9/18/03	CI	TSA		00001135	8	8	64.00
9/18/03	CI	TSA		00001136	27	27	216.00
9/18/03	CI	TSA		00001137	8	8	64.00
9/18/03	CI	TSA		00001138	16	16	128.00
9/18/03	CI	TSA		00001139	7	7	56.00
9/18/03	CI	TSA		00001140	8	8	64.00
10/ 3/03	CI	DUNHAM		00001141	60	60	480.00
10/15/03	CI	TSA		00001142	12	12	96.00
10/15/03	CI	TSA		00001143	80	80	640.00
10/15/03	CI	TSA		00001144	900	900	7,200.00
10/23/03	CI	GSI		00001145	20	20	160.00
10/28/03	CI	TSA		00001147	36	36	288.00
10/29/03	CI	GSI		00001146	20	20	160.00
11/ 5/03	CI	DUNHAM		00001149	300	300	2,400.00
11/ 5/03	CI	TSA		00001148	12	12	96.00
11/ 5/03	CI	GOODSPORTS		00001150	12	12	88.20
11/ 5/03	CI	GARMON		00001151	12	12	88.20
11/ 5/03	CI	SCRSPORTS		00001152	12	12	88.20
11/12/03	CI	SPRTNMORE		00001153	12	12	96.00
11/20/03	CI	TSA		00001154	80	80	640.00
11/20/03	CI	TSA		00001155	60	60	480.00
11/24/03	CI	GSI		00001149	20	20	160.00
11/24/03	CI	TSA		00001156	140	140	1,120.00
12/ 1/03	CI	TSA		00001158	60	60	480.00
12/ 1/03	CI	TSA		00001159	20	20	160.00
12/ 1/03	CI	TSA		00001160	40	40	320.00
12/ 1/03	CI	TSA		00001161	10	10	80.00
12/ 2/03	CI	DUNHAM		00001157	36	36	288.00
12/ 3/03	CI	GSI		00001162	80	80	640.00
12/ 3/03	CI	COPELAND		00001163	120	120	900.00
12/ 3/03	CI	SPRTNMORE		00001164	24	24	192.00
12/10/03	CI	JUSTSOCCER		00001165	20	20	147.00

SALES ANALYSIS BY ITEM REPORT

1/ 1/03 To 12/31/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
12/11/03	CI	JUSTSOCCER		00001167	20	20	160.00
12/11/03	CI	SCRMAGIC		00001168	20	20	160.00
12/12/03	CI	SPRTNMORE		00001166	24	24	192.00
12/16/03	CI	SPRTNMORE		00001169	20	20	160.00

Total:					12767	12767	100,291.60
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TOTAL SALES:							100,291.60
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SALES ANALYSIS BY ITEM REPORT

1/ 1/04 To 6/15/04

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
SOCCEREDGE - SoccerEdge							
1/ 6/04	CI	SPORTCHALE		00001171	80	80	640.00
1/ 7/04	CI	SPRTNMORE		00001170	12	12	96.00
1/22/04	CI	TSA		00001175	120	120	960.00
1/23/04	CI	SPRTCORNER		00001172	12	12	96.00
1/23/04	CI	SCRFIELD		00001173	12	12	96.00
1/23/04	CI	COPELAND		00001174	72	72	540.00
1/27/04	CI	TSA		00001176	240	240	1,920.00
1/27/04	CI	TSA		00001177	20	20	160.00
1/27/04	CI	TSA		00001178	100	100	800.00
1/27/04	CI	TSA		00001179	2	2	16.00
1/29/04	CI	TSA		00001180	460	460	3,680.00
1/29/04	CI	TSA		00001181	1200	1200	9,600.00
1/29/04	CI	TSA		00001184	80	80	640.00
1/29/04	CI	TSA		00001185	18	18	144.00
1/29/04	CI	TSA		00001186	18	18	144.00
1/29/04	CI	TSA		00001187	72	72	576.00
1/29/04	CI	TSA		00001188	30	30	240.00
1/29/04	CI	TSA		00001189	30	30	240.00
1/29/04	CI	TSA		00001190	17	17	136.00
1/29/04	CI	TSA		00001191	36	36	288.00
1/30/04	CI	TSA		00001182	580	580	4,640.00
1/30/04	CI	TSA		00001183	620	620	4,960.00
2/ 2/04	CI	TSA		00001192	320	320	2,560.00
2/ 2/04	CI	TSA		00001193	980	980	7,840.00
2/ 2/04	CI	TSA		00001194	620	620	4,960.00
2/ 5/04	CI	DUNHAM		00001196	120	120	960.00
2/ 6/04	CI	CITYSPORTS		00001195	96	96	720.00
2/10/04	CI	TSA		00001197	31	31	248.00
2/10/04	CI	GSI		00001198	60	60	480.00
2/10/04	CI	TSA		00001199	18	18	144.00
2/10/04	CI	TSA		00001200	24	24	192.00
2/12/04	CI	TSA		00001202	39	39	312.00
2/13/04	CI	SPORTCHALE		00001201	80	80	640.00
2/17/04	CI	TSA		00001203	12	12	96.00
2/24/04	CI	HIBBETT		00001204	300	300	2,250.00
2/24/04	CI	TSA		00001205	151	151	1,208.00
2/25/04	CI	ACTIVEEDGE		00001206	120	120	900.00
2/26/04	CI	DUNHAM		00001207	240	240	1,920.00
2/26/04	CI	MODELLS		00001208	600	600	4,500.00
3/ 2/04	CI	JUSTSOCCER		00001209	12	12	96.00
3/ 8/04	CI	ACTIVEEDGE		00001210	120	120	900.00
3/ 8/04	CI	JOHNNYMACS		00001211	60	60	450.00
3/11/04	CI	SHENKTITTL		00001211	72	72	540.00
3/11/04	CI	SCRLOCKER		00001212	12	12	96.00

SALES ANALYSIS BY ITEM REPORT

1/ 1/04 To 6/15/04

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
3/19/04	CI	SCRPLUS		00001212	12	12	96.00
3/19/04	CI	SCRINTL		00001213	12	12	96.00
3/19/04	CI	SCRACROSS		00001214	12	12	96.00
3/29/04	CI	SCHUYLKILL		00001213	36	36	288.00
3/29/04	CI	KICKER		00001214	12	12	96.00
4/ 1/04	CI	DUNHAM		00001216	84	84	672.00
4/ 2/04	CI	COPELAND		00001215	48	48	360.00
4/ 2/04	CI	EUROSPORT		00001219	144	144	1,152.00
4/ 7/04	CI	TSA		00001217	69	69	552.00
4/ 7/04	CI	TSA		00001218	18	18	144.00
4/ 9/04	CI	SPORTCHALE		00001216	100	100	800.00
4/13/04	CI	TEAMSPTS		00001220	12	12	96.00
4/13/04	CI	AGGRESIVE		00001221	12	12	90.00
4/13/04	CI	SCRCENTER		00001222	12	12	96.00
4/14/04	CI	NEILS		00001223	12	12	96.00
4/14/04	CI	SPRTNMORE		00001224	12	12	96.00
4/14/04	CI	SCRUNLIMNY		00001225	12	12	96.00
4/14/04	CI	SCRUNLIM		00001226	12	12	96.00
4/14/04	CI	SCRNCNT		00001227	12	12	96.00
4/16/04	CI	SCRHOUSIN		00001228	12	12	96.00
4/19/04	CI	JUSTSOCCER		00001229	24	24	192.00
4/26/04	CI	GSI		00001230	20	20	160.00
4/26/04	CI	GSI		00001231	40	40	320.00
4/27/04	CI	BREEDLOVES		00001232	12	12	96.00
4/27/04	CI	SCR4ALL		00001233	24	24	192.00
4/27/04	CI	TSA		00001234	7	7	56.00
4/27/04	CI	SCHLOM		00001171	20	20	160.00
4/27/04	CI	SCHLDM		00001172	20	20	160.00
4/27/04	CI	DUNHAM		00001173	36	36	288.00
4/30/04	CI	ANGELOS		00001168	12	12	96.00
4/30/04	CI	SCRNCNTRY		00001169	12	12	96.00
5/ 4/04	CI	SPRTNMORE		00001170	12	12	96.00
5/ 4/04	CI	TSA		00001171	10	10	80.00
5/ 7/04	CI	SCRCENTOH		00001172	12	12	96.00
5/11/04	CI	GOALKICK		00001173	12	12	96.00
5/11/04	CI	SCRWRLDWI		00001174	24	24	192.00
5/17/04	CI	MCSPTS		00001174	300	300	2,400.00
5/17/04	CI	TSA		00001175	47	47	376.00
5/17/04	CI	TSA		00001176	18	18	144.00
5/17/04	CI	NORTHVALLE		00001177	12	12	96.00
5/17/04	CI	SCHLRH		00001179	12	12	96.00
5/18/04	CI	SCHLCS		00001178	12	12	96.00
5/19/04	CI	SCRCCITYCA		00001180	12	12	96.00
5/19/04	CI	SCHLLIN		00001181	12	12	96.00
5/20/04	CI	SCHLSFS		00001182	24	24	192.00
5/20/04	CI	SCHLSSH		00001183	12	12	96.00
5/21/04	CI	EFINGER		00001184	12	12	96.00

SALES ANALYSIS BY ITEM REPORT

1/ 1/04 To 6/15/04

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
5/21/04	CI	SPRTLNE		00001185	24	24	192.00
5/24/04	CI	SCRMAGIC		00001186	24	24	192.00
5/24/04	CI	SCRCTYELK		00001187	36	36	288.00
5/24/04	CI	KICKNWEAR		00001188	12	12	96.00
5/24/04	CI	SCRKICKSVA		00001189	24	24	192.00
5/26/04	CI	SCHLSC		00001190	12	12	96.00
5/26/04	CI	GSI		00001191	60	60	480.00
5/26/04	CI	COPELAND		00001195	120	120	900.00
5/26/04	CI	DUNHAM		00001196	48	48	384.00
5/28/04	CI	TSA		00001191	240	240	1,920.00
5/28/04	CI	TSA		00001192	300	300	2,400.00
5/28/04	CI	TSA		00001193	198	198	1,584.00
5/28/04	CI	TSA		00001194	234	234	1,872.00
5/28/04	CI	SCHLOM		00001197	30	30	240.00
6/ 1/04	CI	TSA		00001236	12	12	96.00
6/ 1/04	CI	TSA		00001237	12	12	96.00
6/ 1/04	CI	TSA		00001238	24	24	192.00
6/ 1/04	CI	PROSOCCER		00001239	12	12	96.00
6/ 1/04	CI	PKSOCCER		00001240	12	12	96.00
6/ 1/04	CI	4KICKS		00001241	12	12	96.00
6/ 1/04	CI	100PERCENT		00001242	12	12	96.00
6/ 1/04	CI	BILLBATTEY		00001243	12	12	96.00
6/ 2/04	CI	TSA		00001235	12	12	96.00
6/ 4/04	CI	ACTIVEEDGE		00001244	260	260	1,950.00
6/ 4/04	CI	SCRUNLIMNC		00001245	12	12	96.00
6/ 4/04	CI	MCSPTS		00001246	240	240	1,920.00
6/ 4/04	CI	SPORTCHALE		00001247	320	320	2,560.00

Total:	11657	11657	92,316.00
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TOTAL SALES:	92,316.00
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SALES ANALYSIS BY ITEM REPORT

1/ 1/03 To 6/30/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
SOCCEREDGE - SoccerEdge							
2/26/03	CI	DUNHAM		00001081	960	960	7,680.00
2/27/03	CI	GSI		00001075	20	20	160.00
2/27/03	CI	MCSPORTS		00001076	360	360	2,880.00
3/ 7/03	CI	TSA		00001077	160	160	1,280.00
3/ 7/03	CI	TSA		00001078	20	20	160.00
3/ 7/03	CI	TSA		00001079	7	7	56.00
4/ 8/03	CI	COPELAND		00001080	144	144	1,080.00
5/ 9/03	CI	TOYSRUS.CO		00001082	40	40	320.00
5/ 9/03	CI	TOYSRUS.CO		00001083	120	120	960.00
5/ 9/03	CI	TOYSRUS.CO		00001084	40	40	320.00
5/28/03	CI	GSI		00001085	20	20	160.00
6/11/03	CI	SPORTCHALE		00001087	180	180	1,440.00
6/18/03	CI	MCSPORTS		00001089	180	180	1,440.00
6/24/03	CI	GSI		00001088	20	20	160.00
Total:					2271	2271	18,096.00

TOTAL SALES:

18,096.00

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SALES ANALYSIS BY ITEM REPORT

6/30/03 To 12/31/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
SOCCEREDGE - SoccerEdge							
7/ 2/03	CI	SPORTCHALE		00001090	380	380	3,040.00
7/ 3/03	CI	DUNHAM		00001091	180	180	1,440.00
7/10/03	CI	QVC		00001092	3500	3500	26,600.00
7/10/03	CI	DUNHAM		00001093	84	84	672.00
7/17/03	CI	MCSPORTS		00001094	180	180	1,440.00
7/23/03	CI	TSA		00001096	6	6	48.00
7/23/03	CI	TSA		00001097	6	6	48.00
7/23/03	CI	TSA		00001098	6	6	48.00
7/23/03	CI	TSA		00001099	6	6	48.00
7/23/03	CI	TSA		00001100	6	6	48.00
7/23/03	CI	TSA		00001101	6	6	48.00
7/23/03	CI	TSA		00001102	6	6	48.00
7/23/03	CI	TSA		00001103	6	6	48.00
7/23/03	CI	TSA		00001104	6	6	48.00
7/23/03	CI	TSA		00001105	6	6	48.00
7/23/03	CI	TSA		00001106	6	6	48.00
7/23/03	CI	TSA		00001107	6	6	48.00
7/23/03	CI	TSA		00001108	9	9	72.00
7/23/03	CI	TSA		00001109	7	7	56.00
7/23/03	CI	TSA		00001110	6	6	48.00
7/23/03	CI	TSA		00001111	14	14	112.00
7/23/03	CI	TSA		00001112	9	9	72.00
7/23/03	CI	TSA		00001113	6	6	48.00
7/23/03	CI	TSA		00001114	7	7	56.00
7/23/03	CI	TSA		00001115	6	6	48.00
7/23/03	CI	TSA		00001116	6	6	48.00
7/23/03	CI	TSA		00001117	6	6	48.00
7/23/03	CI	TSA		00001118	6	6	48.00
7/23/03	CI	TSA		00001119	6	6	48.00
7/23/03	CI	TSA		00001120	6	6	48.00
7/23/03	CI	TSA		00001121	6	6	48.00
7/24/03	CI	GSI		00001095	20	20	160.00
7/30/03	CI	TSA		00001122	460	460	3,680.00
7/30/03	CI	TSA		00001123	180	180	1,440.00
7/30/03	CI	TSA		00001124	500	500	4,000.00
7/30/03	CI	HIBBETT		00001125	480	480	3,600.00
8/18/03	CI	MCSPORTS		00001126	90	90	720.00
8/27/03	CI	COPELAND		00001127	72	72	540.00
9/12/03	CI	GSI		00001128	20	20	160.00
9/18/03	CI	TSA		00001129	780	780	6,240.00
9/18/03	CI	TSA		00001130	200	200	1,600.00
9/18/03	CI	TSA		00001131	800	800	6,400.00
9/18/03	CI	TSA		00001132	6	6	48.00
9/18/03	CI	TSA		00001133	22	22	176.00

SALES ANALYSIS BY ITEM REPORT

6/30/03 To 12/31/03

ITEM / DATE	TT	CUSTOMER ID	SLS	REF NO	QTY ORD	QTY SHIP	AMOUNT
9/18/03	CI	TSA		00001134	14	14	112.00
9/18/03	CI	TSA		00001135	8	8	64.00
9/18/03	CI	TSA		00001136	27	27	216.00
9/18/03	CI	TSA		00001137	8	8	64.00
9/18/03	CI	TSA		00001138	16	16	128.00
9/18/03	CI	TSA		00001139	7	7	56.00
9/18/03	CI	TSA		00001140	8	8	64.00
10/ 3/03	CI	DUNHAM		00001141	60	60	480.00
10/15/03	CI	TSA		00001142	12	12	96.00
10/15/03	CI	TSA		00001143	80	80	640.00
10/15/03	CI	TSA		00001144	900	900	7,200.00
10/23/03	CI	GSI		00001145	20	20	160.00
10/28/03	CI	TSA		00001147	36	36	288.00
10/29/03	CI	GSI		00001146	20	20	160.00
11/ 5/03	CI	DUNHAM		00001149	300	300	2,400.00
11/ 5/03	CI	TSA		00001148	12	12	96.00
11/ 5/03	CI	GOODSPORTS		00001150	12	12	88.20
11/ 5/03	CI	GARMON		00001151	12	12	88.20
11/ 5/03	CI	SCRSPORTS		00001152	12	12	88.20
11/12/03	CI	SPRTNMORE		00001153	12	12	96.00
11/20/03	CI	TSA		00001154	80	80	640.00
11/20/03	CI	TSA		00001155	60	60	480.00
11/24/03	CI	GSI		00001149	20	20	160.00
11/24/03	CI	TSA		00001156	140	140	1,120.00
12/ 1/03	CI	TSA		00001158	60	60	480.00
12/ 1/03	CI	TSA		00001159	20	20	160.00
12/ 1/03	CI	TSA		00001160	40	40	320.00
12/ 1/03	CI	TSA		00001161	10	10	80.00
12/ 2/03	CI	DUNHAM		00001157	36	36	288.00
12/ 3/03	CI	GSI		00001162	80	80	640.00
12/ 3/03	CI	COPELAND		00001163	120	120	900.00
12/ 3/03	CI	SPRTNMORE		00001164	24	24	192.00
12/10/03	CI	JUSTSOCCER		00001165	20	20	147.00
12/11/03	CI	JUSTSOCCER		00001167	20	20	160.00
12/11/03	CI	SCRMAGIC		00001168	20	20	160.00
12/12/03	CI	SPRTNMORE		00001166	24	24	192.00
12/16/03	CI	SPRTNMORE		00001169	20	20	160.00

Total:	10496	10496	82,195.60
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TOTAL SALES:	82,195.60
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Appendix B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Evans, et al. Exam. M. Aryanpour
Serial No. 09/493,871 Group Art Unit: 3711
Filed: January 28, 2000
For: APPARATUS AND METHOD FOR SOCCER TRAINING AND PRACTICE

RULE 132 DECLARATION

The undersigned declarant, a co-inventor/co-applicant in the above identified application states:

1. I have reviewed the above application and its parent as filed and amended including the proposed claims before the Examiner and all record references and PTO actions and state the following regarding the invention of the present application in relation to prior art.
2. The present invention as described and claimed comprises a soccer ball practice apparatus made as a combination of a tether line including an elastic section, a net container/securement for a soccer ball, a ground insertable/removable anchor unit as a spiral with an upper section and a handle which is turned for insertion of the spiral portion to enter the ground and to leave only an upper circular portion exposed, the tether line tied between the anchor means and the net, by a ring that rides on the circular portion of the anchor upper circle portion, a shackle interconnect or the like from the elastic portion of the tether line (and a swivel) to the ring to enable rotation of the tether line about its own axis. The kicked ball returns to the kicker, rolling back without material interference from the apparatus.

3. My co-inventor and I are familiar with soccer play and practice and the full range of commercially available training choices on the market, presently or in the past. The presently recited invention provides a much closer approximation of normal game play than the systems of the cited art, while minimizing the possibility that a user's kick will dislodge the soccer ball from of training equipment. The present invention allows repetitive kicking in a variety of angles and trajectories from any position around the anchor on the fly. The player can move around to kick the ball, which cannot be done with the Sowards or Ainscough et al. devices. Most importantly, with the present invention a player can kick the ball straight ahead in front of herself and see if the ball goes in the direction intended. One troublesome skill for young players to learn is "lifting" the ball upward when they kick it. This is impossible with the Sowards device. With the Ainscough et al. device, the player cannot see where the ball travels and the swiveling arm constrains the ball's rising, which is the opposite of what the young player wants to practice. With the Moore device, a kicker may unintentionally pull the tent stake from the ground with her kick, the partial webbing/elastic band ball holding mechanism will not provide true ball motion, and its additional weight will further inhibit the ability to get "lift" under the ball.
4. My co-inventor and I have had positive feedback from soccer coaches and in the market place as described below and in my previously-filed declaration. We are the Official Licensed Bungee Soccer Trainer of the U.S. Soccer Federation, the governing body of organized soccer in the United States.
5. We have previously provided information regarding the commercial success of our Soccer Edge® device in comparison to commercial embodiments of the Sowards and Ainscough, et al., inventions. Supplementing the previously-filed commercial success data is, appearing as Appendix A hereto, a Sales Analysis for the Soccer

Edge® device, reflecting over 10,000 units sold to eight customers as of September 2003. This list includes re-orders from customers, one of which has re-ordered units from us for three years. This further evidences the distinct contribution the described and presently claimed invention makes to the art.

6. The commercial success can only be attributed to merit of the product as appraised by these sophisticated retail customers. Our company cannot afford significant marketing/advertising. We have no sales employees. We have no leverage of other products to use to gain shelf space. The sales that occurred at the retail level were without any prompting of end users by us. We have had only 20 returns and no complaints at the end user level. (These situations if occurring would be likely come to our attention via the retail chains).
7. Provided as Appendix B hereto are copies of pages of the Sept.-Oct. 2003 Eurosport™ soccer equipment catalog reflecting currently marketed soccer kick practicing equipment. One of the non-rebounder devices shown is the Penaltymaster™. The Directions for Use of the Penaltymaster™ (provided as Appendix C hereto) reflects the recognition on the behalf of its developers that straight pegs may be dislodged from the ground upon a kick. This also further evidences the fact that the described and presently claimed invention provides an unobvious solution (*i.e.*, the use of a spiraled tie down stake) to a problem still not recognized by some soccer trainer equipment artisans.
8. The art as a whole fails to recognize the need for strongly securing in a minimally-interfering way a retrieval-type soccer kick practicing device that provides realistic ball motion (*i.e.*, lift and roll) and true 360° range of kicking ability. Each of the applied references fails individually and in the aggregate to do so. I incorporate my discussion of the Ainscough, et al., and Sowards references' failure to teach or suggest the presently claimed invention, made in my previous declaration and responses. The Moore reference depicts and describes only a

Any Docket No. 11714-P02

Christopher Evans, et al.

"suitable anchor" consisting of a tent stake, and a ball holder mechanism comprised of four orthogonally arranged pieces of webbing and an elastic band securing them to the ball. The former will not provide the sufficient securing force to accommodate stronger kickers, and the latter will not provide true soccer ball motion, as the presently claimed invention provides.

9. I have tested and observed, that using the present invention with an elastic cord a player can effect a great variety of fast returns of different angles that are anything but "fixed." The present invention also provides truer ball motion, absolutely necessary for young players developing their kicking skills.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: October 14, 2003

By:


CHRISTOPHER EVANS

Appendix C

**THE SOCCER
TRAINER
THAT
WORKS!**

SOCCIX
KICK IT & IT COMES BACK!

**FOR
MORE SOCCIX
INFORMATION
OR TO ORDER CALL
877-SOCCIX1
(877-762-2491)**

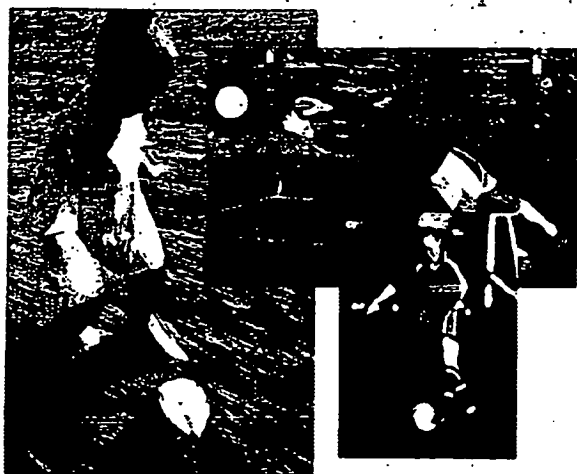
High quality Soccix ball
is official size & weight
for correct soccer "Feel"

Heavy duty metal
Soccix Stakes
withstand even the
toughest kicks

Strong Soccix
Cords have length
marks for various
Soccix Drills

Revolutionary Soccix
Connectors keep the cord
from tangling & allows for
natural ball roll

PATENT
PENDING



**Includes the SOCCIX™ Training CD that has
Drills and Games to Have FUN and Improve
Your Game!!!**

TECHNICAL

- First Touch
- Passing
- Receiving
- Shooting
- Preparing
- Clearing

PHYSICAL

- Conditioning
- Quickness
- Agility
- Strength
- Balance
- Coordination

GOALKEEPING

- Goalkicks
- Diving Saves
- Backpass
- Receiving & Clearing
- Bouncing Saves
- AND MORE!!!**

Visit our website at WWW.SOCCIX.COM

Why SOCCIX™ Is So Effective...

Soccix is the best soccer training device ever created. Soccix helps players develop the essential skills needed to play the game of soccer, and it's fun, so kids will use it. My experience as a professional player and coach for over 20 years has taught me that repetition and practice make better players, and players practice more on their own when it's fun. Soccix was developed to fit this need. Soccix will help players of all ages and levels learn and improve first touch techniques, shooting, passing, receiving, as well as improve foot-eye coordination, balance, agility, quickness and strength, through repetition. With Soccix, no time is wasted chasing and collecting errant balls. You kick it and it comes back. And, the Soccix drills and games are fun. Practice makes for better players, and Soccix makes practice fun!



Issac Moushi Former Professional Soccer Player & Coach

**THE SOCCER
TRAINER THAT
WORKS!**



**THE SOCCER
TRAINER
THAT
WORKS!**

SOCCIX
KICK IT & IT COMES BACK!

Appendix D

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE

February 9, 1989

Release # 89-014

Franklin Sports Recalls Baseball, Soccer Training Sets

WASHINGTON – Baseball and Soccer Trainer products which use either a metal stake or a metal spike to anchor the product to the ground are being voluntarily recalled by Franklin Sports Industries, Inc. of Stoughton, Mass., because they may pose a risk of injury if improperly used. The firm has had two reports of children being struck by the stake during unusual use.

In voluntary cooperation with the U.S. Consumer Product Safety Commission, Franklin Sports is recalling training products described as Model #1595 - Batting Tee with Return Ball Trainer; Model #1597 - Return Ball Trainer; and Model #1598 Complete Teeball Set.

Sold under the "Mike Schmidt" brand name, each baseball training product consisted, in part, of a three-inch rubber baseball labeled: "FRANKLIN POWER HIT RETURN BALL 1358 TAIWAN." The baseball is connected to an elastic string and was accompanied by an 8 1/2 inch metal ground stake.

Also being recalled is Model #1758 - Return Kick Soccer Skill Trainer. This set, which was sold without a soccer ball, included a soccer ball net connected to an elastic string accompanied by a 10 1/2 inch metal ground spike.

Consumers who have these items are asked to stop using them immediately and return only the stake/cord/ball or spike directly to : Stake Recall, Franklin Sports Industries, Inc., 17 Campanelli Parkway, Stoughton, Mass. 02072. For additional information, consumers may call Franklin Sports toll-free at 1-800-225-8647; Massachusetts residents may call 1-617-344-1111. Consumers will receive \$5.00 from Franklin Sports for the returned items.

Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.